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FACSIMILE TRANSMITTAL

TO:**Name:** Mail Stop RCE
Group Art Unit 3731/Examiner Tuan Van Nguyen**Firm:** U.S. Patent & Trademark Office**Fax No.:** 571-273-8300**Subject:** U.S. Patent Application No. 10/619,987**Filed:** June 12, 2003Attorney Docket No. 127.0003-03000
Customer No. 22882
Confirmation No.: 8851**FROM:****Name:** Thomas H. Martin, Esq.**Phone No.:** 330-877-2277**No. of Pages (including this):** 18**Date:** May 6, 2009**Confirmation Copy to Follow:** NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; total amount of \$2,060.00 to cover the \$1,110 three-month extension fee, \$810 RCE fee, and \$140 Terminal Disclaimer fee is to be charged to Deposit Account 50-1068), Request for Continued Examination (RCE), Amendment, Terminal Disclaimer, and Information Disclosure Statement with Form PTO/SB/08 are being facsimile transmitted to the U.S. Patent and Trademark Office on May 6, 2009.


Sandra L. Blackmon

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FORM PTO-1083

MAY 06 2009

Attorney Docket No.: 127.0003-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John I. Shipp et al.

Serial No: 10/619,987

Filed: June 12, 2003

For: SURGICAL LITIGATION CLIP AND METHOD
FOR USE THEREOF

Confirmation No.: 8851

Art Unit: 3731

Examiner: Tuan Van Nguyen

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Advisory Action dated March 9, 2009, transmitted herewith is a Request for Continued Examination (RCE) and Amendment in reply to the Final Office Action dated November 17, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a 3-month extension of time to respond to the above office action.
- ☒ A Terminal Disclaimer is enclosed.
- ☒ An Information Disclosure Statement Under 37 C.F.R. § 1.97(b) with Form PTO/SB/08 is enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	19	-	43 **	0	LG=\$52 SM=\$26	\$ 0
INDEPENDENT CLAIMS FEE	5	-	8 ***	0	LG=\$220 SM=\$110	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$195	\$ 0
TOTAL						\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of \$2,080.00 to cover the \$1,110 three-month extension fee, \$810 RCE fee, and \$140 Terminal Disclaimer fee is to be charged to Deposit Account No. 50-1068.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: May 6, 2009

By: 
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The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	19	-	43 **	0	LG=\$52 SM=\$28	\$52	\$ 0
INDEPENDENT CLAIMS FEE	5	-	8 ***	0	LG=\$220 SM=\$110	\$220	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$390 SMALL ENTITY FEE = \$195		\$ 0
TOTAL							\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

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- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: May 6, 2009

By: 

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